

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHRISTOPHER HEIM,

Plaintiff,

v.

V. VOVKULIN, et al.,

Defendants.

No. 2:21-cv-1077 KJM AC P

FINDINGS AND RECOMMENDATIONS

Plaintiff, a state prisoner proceeding pro se and in forma pauperis, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On March 22, 2022, plaintiff's complaint was screened, and plaintiff was given the option of either amending the complaint or proceeding on its cognizable claims. ECF No. 11. Plaintiff was given fourteen days to inform the court of his decision. Id. at 12. At that time, a recommendation that plaintiff's motion for a preliminary injunction be denied was also made. See ECF Nos. 8, 11 at 12. That recommendation is still pending before the district judge, and plaintiff has not filed objections to it.

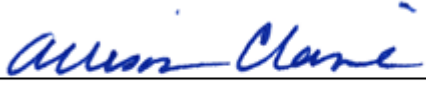
On April 4, 2022, the Findings and Recommendations were returned to the court as "undeliverable." Despite this fact, plaintiff was properly served. It is the plaintiff's responsibility to keep the court apprised of his current address at all times. Pursuant to Local Rule 182(f),

1 service of documents at the record address of the party is fully effective. In addition, the sixty-  
2 three-day period within which plaintiff was required to file notice of a change of address with the  
3 court has passed. See Local Rule 183(b).

4 For all these reasons, IT IS HEREBY RECOMMENDED that this action be DISMISSED  
5 without prejudice for failure to prosecute. See Local Rule 110; Fed. R. Civ. P. 41(b).

6 These findings and recommendations are submitted to the United States District Judge  
7 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days  
8 after being served with these findings and recommendations, plaintiff may file written objections  
9 with the court. The document should be captioned “Objections to Magistrate Judge’s Findings  
10 and Recommendations.” Plaintiff is advised that failure to file objections within the specified  
11 time waives the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th  
12 Cir. 1991).

13 DATED: June 13, 2022

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15 ALLISON CLAIRE  
16 UNITED STATES MAGISTRATE JUDGE  
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